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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1513 (2003) of 28 October 2003, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 January 2004 and requested me to provide a report on the situation before that date. This report covers developments since my last report, dated 16 October 2003 (S/2003/1016).

II. Activities of my Personal Envoy

2. During the reporting period, my Personal Envoy had a further meeting, on 23 December 2003, with a Moroccan delegation to discuss issues pertaining to Morocco's final response to the operative paragraphs of resolution 1495 (2003) of 31 July 2003, in particular paragraph 2, in which the Security Council called upon the parties to work with the United Nations and with each other towards acceptance and implementation of the peace plan submitted to them in early January 2003. Given my Personal Envoy's current assignment with the Government of the United States of America, and in order to give him time to consult further with the Government of Morocco on this issue, he has requested that the mandate of MINURSO be extended until 30 April 2004.

III. Developments on the ground

A. Activities of my Special Representative

3. On 29 October 2003, my new Special Representative for Western Sahara, Alvaro de Soto (Peru), assumed his duties in Laayoune. In November 2003, he visited Rabat, Tindouf, Algiers and Nouakchott, where he had introductory meetings with senior officials from the Government of Morocco, the Frente Popular para la Liberación de Saguia el-Hamra y del Río de Oro (Frente POLISARIO), the Government of Algeria and the Government of Mauritania.

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4. Since taking up his duties, my Special Representative has been in contact with senior officials from the International Committee of the Red Cross (ICRC) in Geneva in relation to the issues of the Moroccan prisoners of war and the fate of persons unaccounted for on either side since the beginning of the conflict. He has also been in contact with senior officials from the World Food Programme (WFP) concerning humanitarian assistance to the refugees in the Tindouf area and with the Office of the United Nations High Commissioner for Refugees (UNHCR) regarding other humanitarian aspects of the conflict. In this regard, my Special Representative supported UNHCR's separate discussions with Moroccan, Frente POLISARIO and Algerian officials concerning the implementation of a UNHCR project of confidence-building measures.

B. Activities of the Identification Commission

5. The Identification Commission has successfully completed its overall auxiliary work plan, including the transfer of all of its identification files and sensitive documents to the United Nations Office at Geneva, where they are now safely stored. As a result, the last staff of the Commission completed their assignments with MINURSO on 31 December 2003. However, the authorized posts for the Commission have been kept in the proposed budget for the financial year 2004-2005, in order to expedite the recruitment of expertise for MINURSO should the need arise.

6. I would like to thank all the personnel of the Identification Commission for their dedication and for the outstanding work that the Commission has accomplished since its establishment in 1993.

C. Activities of the military component

7. As at 12 January 2004, the military component of MINURSO stood at 227 United Nations military observers and troops, against the authorized strength of 230. Under the command of Major General Gyorgy Száraz (Hungary), the military component continued to monitor the ceasefire in Western Sahara, which has been in effect since 6 September 1991. The Mission's area of responsibility has remained calm and there have been no indications on the ground that either side intends to resume hostilities in the near future.

8. During the reporting period, MINURSO conducted over 1,760 ground patrols and 114 air patrols to visit and inspect ground units larger than company size of the Royal Moroccan Army (RMA) and the military forces of the Frente POLISARIO, in accordance with the ceasefire agreements between MINURSO, on the one hand, and RMA and the Frente POLISARIO on the other. The military forces of both RMA and the Frente POLISARIO have continued to carry out routine maintenance and training activities.

9. The Frente POLISARIO has continued to impose some limitations on MINURSO's freedom of movement in areas of the Territory east of the berm. Although the nature of these limitations does not significantly affect MINURSO's ability to monitor the situation in those areas, their removal would further facilitate the Mission's ground and air patrolling activities.

10. MINURSO has continued to cooperate with the parties on the marking and disposal of mines and unexploded ordnance. In the past three months, the Mission has discovered and marked 36 mines and pieces of unexploded ordnance on both sides of the berm and has monitored 257 disposal operations carried out by RMA. MINURSO has also launched an Information Management System for Mine Action, which will help to consolidate data on discovered mines and unexploded ordnance in the Mission's area of responsibility and thus facilitate any future demining activities.

D. Civilian police aspects

11. Following the transfer of the Identification Commission files and materials to the United Nations Office at Geneva, the civilian police component of MINURSO has successfully completed its mandated duties and has been withdrawn from the Mission as of 31 December 2003. However, all authorized civilian police officer posts have been kept in the proposed budget for the financial year 2004-2005, in the event that there is a need to reactivate the component. In this connection, should UNHCR proceed to the implementation of the exchange of family visits (see para. 27 below), up to five United Nations civilian police officers may be required to assist in the initial stages of the project.

12. Meanwhile, I would like to thank the staff and leadership of the civilian police component for the excellent work that they have accomplished since the establishment of the component in 1993. I would also like to thank the outgoing Civilian Police Commissioner in MINURSO, Inspector General Om Prakash Rathor (India), as well as all countries contributing civilian police to MINURSO for their invaluable support of the Mission.

E. Logistical aspects

13. During the reporting period, MINURSO continued the phased implementation of its two-year plan to refurbish worn out living and working quarters at all 10 MINURSO weather haven team site camps across the Territory.

F. Prisoners of war, other detainees and persons unaccounted for

14. On 7 November 2003, the Frente POLISARIO announced the release of a further 300 Moroccan prisoners of war, who were repatriated to Morocco on the following day under the auspices of ICRC. This was the largest group of Moroccan prisoners ever liberated. While I welcome this step, 613 such prisoners are still in detention, most of them for more than 20 years. I therefore reiterate my call to the Frente POLISARIO to expedite the release of all remaining prisoners, in compliance with international humanitarian law and numerous Security Council resolutions and presidential statements. I also call on both Morocco and the Frente POLISARIO to continue to cooperate with ICRC in accounting for those who are still missing in relation to the conflict.

G. Western Saharan refugees

15. While the food pipeline for the Western Saharan refugees has been relatively stable throughout most of 2003, current shortages of relief aid continue to cause acute and chronic malnutrition among the Western Saharan refugees in the Tindouf area. Without significant donor contributions, the Western Saharan refugee assistance programme may face a critical situation in the coming months. In this connection, WFP and UNHCR are planning to undertake a joint assessment mission to the refugee camps in early 2004, which would include representatives of donor countries.

16. Security Council members will recall that UNHCR and my Special Representative for Western Sahara have been promoting the implementation of confidence-building measures that would facilitate person-to-person contacts between the refugees in the Tindouf camps in Algeria and their community of origin in Western Sahara. As noted in my previous report to the Council, UNHCR's talks in early October 2003 with all concerned resulted in some progress on confidence-building measures.

17. In the course of November 2003, UNHCR, in close consultation with my Special Representative, submitted to Morocco, the Frente POLISARIO and Algeria, as the country of asylum, a detailed plan of action defining the modalities for the implementation of the exchange of family visits between the refugee camps in Tindouf and the Territory.

18. From 8 to 12 December 2003, my Special Representative, accompanied by senior UNHCR staff, met at Geneva with Frente POLISARIO representatives to discuss the proposed plan of action for the exchange of family visits and to seek the activation of the other confidence-building measures, namely telephone and mail services. The Frente POLISARIO reiterated its full support for the confidence-building measures as a package, while accepting that implementation could take place gradually. It also expressed its readiness to resume the UNHCR telephone service and to start the mail service under the terms proposed by UNHCR, that is, that mail would be collected and distributed by UNHCR on both sides.

19. From 16 to 19 December 2003, my Special Representative and UNHCR senior staff visited Algiers and Rabat to pursue discussions on the confidence-building measure. In Algiers, the authorities reiterated their support for the measures and their readiness to facilitate their implementation. The Algerian authorities emphasized the global nature of the proposed measures and pledged to send their comments in writing to UNHCR on its draft plan of action, which they did in early January 2004. In addition, Algeria provided written confirmation of its agreement on the resumption of the telephone service between the refugee camps and the Territory. Regarding the mail service, the Algerian authorities reiterated their support of this activity under the terms of the original plan envisaged by UNHCR, whereby the mail would be collected and distributed by UNHCR on both sides.

20. During discussions in Rabat on 19 December 2003, the Moroccan authorities urged my Special Representative and UNHCR to work towards the quick resumption of the telephone service between the camps and the Territory, which began on 15 April 2003 and was suspended the following day at the request of Frente POLISARIO, pending the formal authorization of the Algerian authorities. Regarding the mail service, the Moroccan authorities reiterated their support for the

project, using the Moroccan postal service for the collection and distribution of mail in the Territory. UNHCR stressed that for the mail service to be regarded as a confidence-building measure, it would require UNHCR's unhindered access to the beneficiaries of the service and all assurances regarding confidentiality of the mail and neutrality as regards its handling.

21. In the meantime, discussions on the exchange of family visits allowed for a constructive review of the modalities proposed by UNHCR for the implementation of this activity. My Special Representative and UNHCR answered the questions raised by the Moroccan experts and took note of their comments on the draft plan of action.

22. Following these consultations, UNHCR, in close consultation with my Special Representative, has adjusted its initial plan of action for the implementation of the confidence-building measures, taking into account the comments, observations and suggestions made by Morocco, the Frente POLISARIO and Algeria, while striving to preserve the overall integrity and humanitarian nature of the project. A new version of the plan of action for the confidence-building measures has been submitted to the parties for their final consideration.

23. In the meantime, I am pleased to report that the UNHCR-operated telephone connection between the refugee camps in Algeria and the Territory was re-established on 12 January 2004. In this connection, a telephone service between the "27 February School" camp in the Tindouf area in Algeria and the Territory is now functioning and will be gradually extended to other locations.

H. African Union

24. During the reporting period, the observer delegation of the African Union to MINURSO, led by its Senior Representative, Ambassador Yilma Tadesse (Ethiopia), continued to provide valuable support and cooperation to the Mission. I wish to reiterate my sincere appreciation for this contribution.

I. Financial aspects

25. By its resolution 57/331 of 18 June 2003, the General Assembly appropriated an amount of $41,529,500 (gross), equivalent to $3,460,792 per month, for MINURSO for the period from 1 July 2003 to 30 June 2004. The assessment of these amounts is subject to the decision of the Security Council to extend the mandate of the Mission. Should the Security Council decide to extend the mandate of MINURSO beyond 31 January 2004, the cost of maintaining the Mission until 30 June 2004 would be limited to the monthly amounts approved by the General Assembly.

26. As at 30 November 2003, unpaid assessed contributions to the special account for MINURSO amounted to $46.9 million. The total outstanding assessed contributions for all peacekeeping operations as at 30 November 2003 amounted to $1,066.7 million.

IV. Observations and recommendations

27. In the light of the positive developments emerging from the recent round of consultations on confidence-building measures, UNHCR hopes to be in a position to start the implementation of the exchange of family visits, with the consent of all concerned, in February 2004. I therefore call on the Frente POLISARIO, Morocco and Algeria to respond positively to the modalities contained in the revised version of the plan of action and, subsequently, to extend to UNHCR all the cooperation and support necessary to implement it. Meanwhile, I would like to appeal to donor countries for urgent contributions to the assistance programme for Western Saharan refugees.

28. Following the discussions that my Personal Envoy had with the delegation of Morocco on 23 December 2003, he is of the view that the mandate of MINURSO should be extended until 30 April 2004 to allow him to consult further with Morocco on its final response to the peace plan. I concur with this view and hope that he will be receiving Morocco's final reply before the end of April 2004. For this reason, I recommend that the Council extend the mandate of MINURSO for three months, until 30 April 2004.

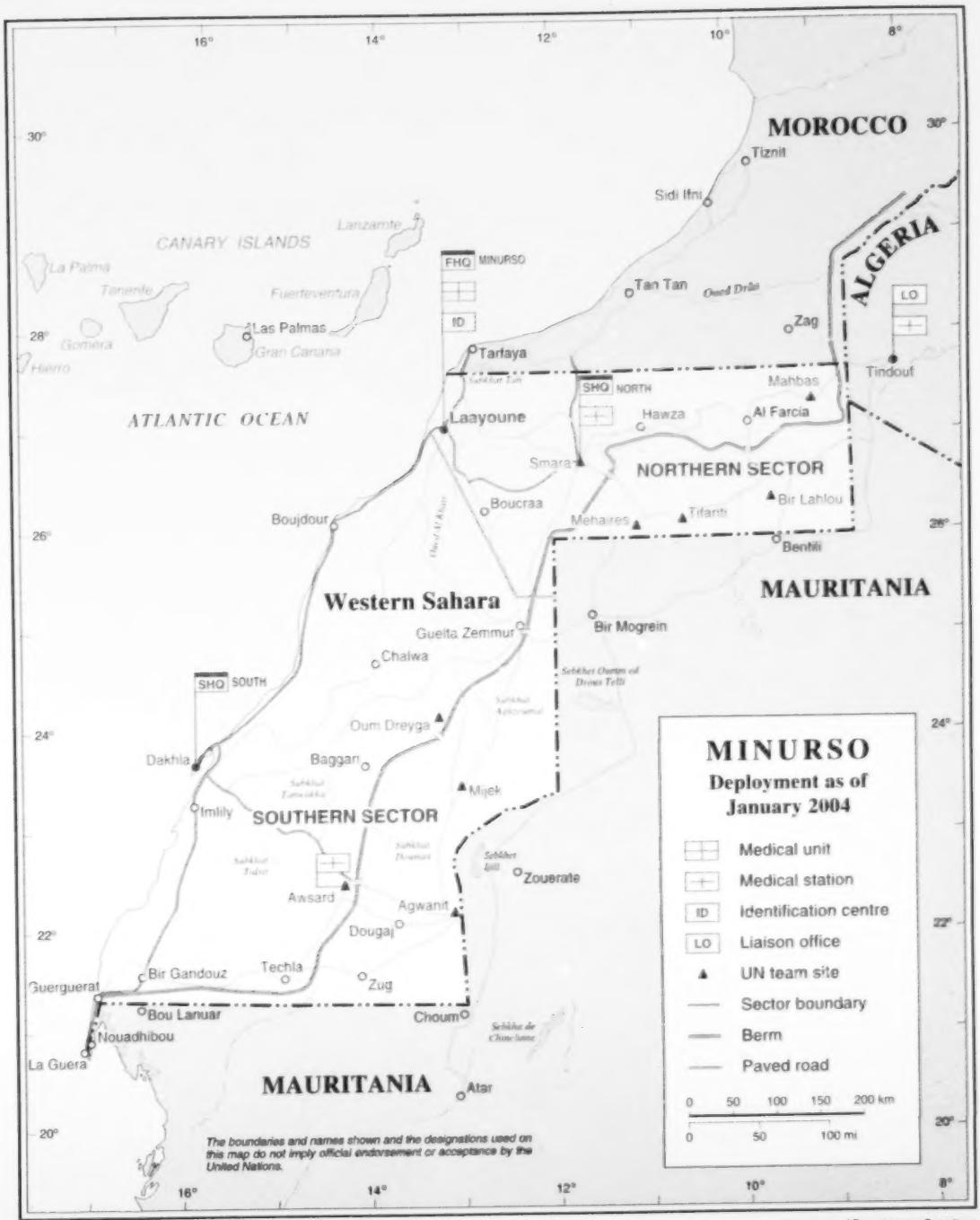
Annex

United Nations Mission for the Referendum in Western Sahara

Contributions as at 12 January 2004

	*Military observers**	*FC*	*Troops*	*Civilian police***	*Total*
Argentina	1				1
Austria	2				2
Bangladesh	8				8
China	19				19
Croatia	2				2
Egypt	19				19
El Salvador	5				5
France	25				25
Ghana	9		7		16
Greece	1				1
Guinea	5				5
Honduras	12				12
Hungary	7	1			8
Ireland	4				4
India					0
Italy	5				5
Jordan					0
Kenya	10				10
Malaysia	13				13
Mongolia	3				3
Nigeria	8				8
Norway					0
Pakistan	7				7
Poland	1				1
Portugal					0
Republic of Korea			20		20
Russian Federation	24				24
Senegal					0
Sri Lanka	2				2
Sweden					0
Uruguay	8				8
Total	**200**	**1**	**27**	**0**	**228**

* Authorized strength is 203.
** Authorized strength is 81.



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Department of Peacekeeping Operations
Cartographic Section